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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,391	09/12/2003	Jeffrey George	60518-167	8434
27305 7590 03/11/2008 HOWARD & HOWARD ATTORNEYS, P.C. THE PINEHURST OFFICE CENTER, SUITE #101 39400 WOODWARD AVENUE BLOOMFIELD HILLS, MI 48304-5151				
EXAMINER				
PANDYA, SUNT				
ART UNIT		PAPER NUMBER		
3714				
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03/11/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/661,391

Applicant(s)

GEORGE ET AL.

Examiner

SUNIT PANDYA

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-80 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-80 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/4/08 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 5-10, 27-41, 45-48, 67-70 and 80 are rejected under 35 U.S.C. 102 (b) as being anticipated by Rowe et al. (US Patent Publication 2002/0103027).

Claims 1-2, 40-41, 80: Rowe et al. discloses a remote system for use with a gaming system, for processing a table rating for a player's play of a table game comprising a remote device, wherein the remote device being embodied in a mobile computer which may be carried by a user who is not the player (abstract, 0011, 0033, 0043 & 0140, where the portable transaction device or PTD is a mobile computer having a processor, memory, display and a means for inputting data). Rowe et al. also

discloses of a host computer including a database and a remote network interface coupled to the remote device (PTD) via a wireless connection, for exchanging data between the host computer and the remote device, the data includes table rating information relating to the player, wherein the data is stored in a database, wherein the user has access to view the table rating information of the player and modify the table rating information in response to player's play at the table and update the player's rating information (0013, 0057-0058, 0085-0090, wherein the player information is updated in relations to player's game preference, location of the game, time of play, average bet, amount won etc.)

Regarding claim 40, given the structure above with respect to the apparatus or system, Rowe et al. also implicitly disclose the method for updating the players' play rating information using the system described above. Specifically, Rowe et al. clearly provide the PTD to the casino personal for use in player rating, where the PTD would require a form to be filled out with the player's personal identification information, where upon filling out the form, the information is be sent to the server where a player account is created in response to the sent information (paragraphs 0104-0107).

Claims 6-10, 45-48: Rowe et al. discloses the said remote device having a processor and a web client for interaction, wherein the web-client is use to acquire data from players and formatting the data, wherein the data includes table rating forms (user info to be filled by the user) and the remote device to return the forms back to the network interface, wherein the network interface contains a processor and a web-client for interactions with users (figures 1, 3 & 4 and 0044, 0058, 0084-0097 & 0134).

Claim 27-29, 67-69: Rowe et al. teaches a plurality of objects coupled to the database tables for retrieving and storing data (0045, 0052-0053).

Claims 30-39, 70: Rowe et al. discloses of receiving queries from the remote network interface, retrieves responsive data from the database, updating the data (which includes player's name, ID card number and/or other identification numbers) and returning the responsive data to the remote network interface (0067,0084-0095).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-4, 11-26, 42-44, 49-66 and 71-79 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Rowe et al.

Claims 3-4, 42-44: Rowe et al. teaches a remote device for receiving table rating information and a remote network interface coupled to the device for exchanging data between the host computer and the remote device, wherein the remote device is coupled to the network by a wireless connection (abstract, 0011, 0043 & 0140). However Rowe et al., does not specifically disclose that the connection use the IEEE 802.11 or 802.11b or 802.11g standard protocols. Industry standards are just that – standard. One of ordinary skill would have any number of reasons for adopting industry standards. Standards foster interoperability; lower costs by allowing the purchase of

off-the-shelf parts; cut design time, etc. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Rowe et al. to have used one of the various industry standard communications protocols in order to gain the benefits of adopting industry standards outlined above.

Claims 11-13, 49-51: Rowe et al. disclose the PTD for retrieving information, such as the player's name, address, etc during the sign-up process (paragraph 0091). Addresses are well known to include a zip code. However, Rowe et al. fails to disclose a step of confirming the required information is entered into the PTD and is correct, where an error message would be sent if the information was not correct. However, one of ordinary skill in the art would recognize that it is necessary to insure sensitive information is correctly provided and entered and if that information is somehow faulty, to alert the user. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to display an error message if required information was not provided correctly to the user at the PTD. Additionally, systems such as the one disclosed by Rowe et al. are typically known to verify the correct town and state were entered into the form by verifying the town and state match a reverse look-up of the zip code entered, thereby assuming and confirming correct information was provided.

Claim 14, 52: Rowe et al. teaches the retrieving player information from the database as a function of the table rating status, retrieving a status form from the host computer containing the player information and table rating status, and instructing the remote device to display the status form (0084-0095).

Claims 15-26, 53-66: Rowe et al. teaches of table rating status one of an open or closed status, wherein retrieving the closed status form if the status is closed (wherein the closed status form having a button which is de-pressed by the player to close status) and updating the table rating to reflect the closed status or retrieving an open status if the status is open and continuously updating the table rating according to the players' performance and updating the table rating information to reflect the status (0084-0095, 0097, 0099, 0116).

Claim 71, 73-79: Rowe et al. discloses of receiving queries from the remote network interface, retrieves responsive data from the database, updating the data (which includes player's name, ID card number and/or other identification numbers) and returning the responsive data to the remote network interface (0067,0084-0095).

Claim 72: Rowe et al. teaches the said remote device having a processor and a web client for interaction, wherein the web-client is use to acquire data from players and formatting the data, wherein the data includes table rating forms (user info to be filled by the user) and the remote device to return the forms back to the network interface, wherein the network interface contains a processor and a web-client for interactions with users (figures 1, 3 & 4 and 0044, 0058, 0084-0097 & 0134).

Response to Arguments

Applicant's arguments with respect to claims 1-80 have been considered but are moot in view of the new ground(s) of rejection.

Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SUNIT PANDYA whose telephone number is (571)272-2823. The examiner can normally be reached on 8 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on 571-272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robert E Pezzuto/
Supervisory Patent Examiner, Art Unit 3714

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